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**U.S. District Court  
Eastern District of Virginia - (Alexandria)  
CIVIL DOCKET FOR CASE #: 1:11-cv-00041-CMH -TRJ**

Sierra Club et al v. U.S. Defense Energy Support Center et al  
Assigned to: District Judge Claude M. Hilton  
Referred to: Magistrate Judge Thomas Rawles Jones, Jr  
Case in other court: California Northern, 3:10-cv-02673

Date Filed: 01/13/2011  
Date Terminated: 07/29/2011  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

Cause: 05:702 Administrative Procedure Act

**Plaintiff**

**Sierra Club**

represented by **David Sanburg Bailey**  
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PO Box 6236  
Richmond, VA 23230  
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*ATTORNEY TO BE NOTICED*

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Sierra Club Environmental Law Program  
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*ATTORNEY TO BE NOTICED*

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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Southern Alliance for Clean Energy**

represented by **David Sanburg Bailey**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Douglas Patrick Hayes**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gary Allen Davis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Tammy L. Belinsky**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Defense Logistics Agency Energy**  
*formerly known as*  
**U.S. Defense Energy Support Center**

represented by **Dennis Carl Barghaan , Jr.**  
United States Attorney's Office  
2100 Jamieson Ave  
Alexandria, VA 22314  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lauren A. Wetzler**  
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**Defendant**

**Kurt Kunkel**  
*Commander of the U.S. Defense Energy  
Support System*

represented by **Dennis Carl Barghaan , Jr.**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Lauren A. Wetzler**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. Department of Defense**

represented by **Dennis Carl Barghaan , Jr.**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Lauren A. Wetzler**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Honorable Robert Gates**  
*Secretary of the Department of Defense*

represented by **Dennis Carl Barghaan , Jr.**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Lauren A. Wetzler**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. Defense Logistics Agency**

represented by **Dennis Carl Barghaan , Jr.**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Lauren A. Wetzler**  
(See above for address)

**Defendant**

**Alan S. Thompson**  
*Director of the Defense Logistics Agency*

represented by **Dennis Carl Barghaan , Jr.**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Lauren A. Wetzler**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Intervenor Defendant**

**American Petroleum Institute**

represented by **Elizabeth Rickard Toben**  
Sidley Austin LLP  
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\*\*NA\*\*  
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**LEAD ATTORNEY**  
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**Timothy Kenly Webster**  
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Email: twebster@sidley.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor Defendant**

**National Petrochemical and Refiners  
Association**

represented by **Elizabeth Rickard Toben**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Timothy Kenly Webster**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor Defendant**

**Chamber of Commerce of the United  
States of America**

represented by **Elizabeth Rickard Toben**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Timothy Kenly Webster**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/18/2010	<a href="#"><u>1</u></a>	COMPLAINT /issued summons against Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense ( Filing fee \$ 350, receipt number 34611047162.). Filed by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet)(ga, COURT STAFF) (Filed on 6/18/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 06/21/2010)
06/18/2010	<a href="#"><u>2</u></a>	ADR SCHEDULING ORDER: Case Management Statement due by 9/22/2010. Case Management Conference set for 9/29/2010 10:30 AM in Courtroom F, 15th Floor, San Francisco.. Signed by Judge James Larson on 6/18/10. (Attachments: # <a href="#"><u>1</u></a> Standing Order)(ga, COURT STAFF) (Filed on 6/18/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 06/21/2010)
06/18/2010		CASE DESIGNATED for Electronic Filing. (ga, COURT STAFF) (Filed on 6/18/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 06/21/2010)
06/25/2010	<a href="#"><u>3</u></a>	CERTIFICATE OF SERVICE by Sierra Club, Southern Alliance for Clean Energy re <a href="#"><u>1</u></a> Complaint, (Gallagher, Patrick) (Filed on 6/25/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 06/25/2010)
06/25/2010	<a href="#"><u>4</u></a>	MOTION for Admission of Attorney Eric E. Huber Pro Hac Vice (Filing fee \$ 210.00, receipt number 34611047409) filed by Sierra Club, Southern Alliance for Clean Energy. (gba, COURT STAFF) (Filed on 6/25/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 06/28/2010)
06/25/2010	<a href="#"><u>5</u></a>	MOTION for Admission of Attorney Douglas P. Hayes Pro Hac Vice (Filing fee \$ 210.00, receipt number 34611047410) filed by Sierra Club, Southern Alliance for Clean Energy. (gba, COURT STAFF) (Filed on 6/25/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 06/28/2010)

06/29/2010	<a href="#"><u>6</u></a>	ORDER by Judge James Larson Granting Admission of Eric Huber <a href="#"><u>4</u></a> Motion for Pro Hac Vice (jlsec, COURT STAFF) (Filed on 6/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 06/29/2010)
06/29/2010	<a href="#"><u>7</u></a>	ORDER by Judge James Larson Granting Admission of Douglas Hayes <a href="#"><u>5</u></a> Motion for Pro Hac Vice (jlsec, COURT STAFF) (Filed on 6/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 06/29/2010)
07/08/2010	<a href="#"><u>8</u></a>	Statement of <i>Corporate Disclosure</i> by Southern Alliance for Clean Energy. (Davis, Gary) (Filed on 7/8/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 07/08/2010)
07/08/2010	<a href="#"><u>9</u></a>	Statement of <i>Corporate Disclosure</i> by Sierra Club. (Davis, Gary) (Filed on 7/8/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 07/08/2010)
07/16/2010	<a href="#"><u>12</u></a>	MOTION for attorney James S. Whitlock leave to appear in Pro Hac Vice ( Filing fee \$ 210, receipt number 34611048220.) filed by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(ga, COURT STAFF) (Filed on 7/16/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 07/21/2010)
07/19/2010	<a href="#"><u>10</u></a>	CERTIFICATE OF SERVICE by Sierra Club re <a href="#"><u>6</u></a> Order on Motion for Pro Hac Vice, <a href="#"><u>8</u></a> Statement, <a href="#"><u>9</u></a> Statement, <a href="#"><u>7</u></a> Order on Motion for Pro Hac Vice (Huber, Eric) (Filed on 7/19/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 07/19/2010)
07/20/2010	<a href="#"><u>11</u></a>	NOTICE of Appearance by David Bernard Glazer <i>on Behalf of the Federal Defendants</i> (Glazer, David) (Filed on 7/20/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 07/20/2010)
07/21/2010	<a href="#"><u>13</u></a>	ORDER by Judge James Larson granting Admission of James Whitlock <a href="#"><u>12</u></a> Motion for Pro Hac Vice (jlsec, COURT STAFF) (Filed on 7/21/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 07/21/2010)
07/23/2010	<a href="#"><u>14</u></a>	NOTICE of Appearance by Steven Gillingham (Gillingham, Steven) (Filed on 7/23/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 07/23/2010)
09/01/2010	<a href="#"><u>15</u></a>	CONSENT to Proceed Before a US Magistrate Judge by Sierra Club, Southern Alliance for Clean Energy.. (Davis, Gary) (Filed on 9/1/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/01/2010)
09/01/2010	<a href="#"><u>16</u></a>	Declination to Proceed Before a U.S. Magistrate Judge by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Gillingham, Steven) (Filed on

		9/1/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/01/2010)
09/01/2010	<a href="#"><u>17</u></a>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (fj, COURT STAFF) (Filed on 9/1/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/01/2010)
09/02/2010	<a href="#"><u>18</u></a>	ORDER REASSIGNING CASE. Case reassigned to Hon. Jeffrey S. White for all further proceedings. Magistrate Judge James Larson no longer assigned to the case.. Signed by Executive Committee on 9/2/10. (ha, COURT STAFF) (Filed on 9/2/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/02/2010)
09/03/2010	<a href="#"><u>19</u></a>	INITIAL SCHEDULING CONFERENCE ORDER: Case Management Conference set for 10/1/2010 01:30 PM in Courtroom 11, 19th Floor, San Francisco. Case Management Statement due by 9/24/2010.. Signed by Judge Jeffrey S. White on 9/3/10. (jjoS, COURT STAFF) (Filed on 9/3/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/03/2010)
09/10/2010	<a href="#"><u>20</u></a>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>by Plaintiff Sierra Club</i> (Davis, Gary) (Filed on 9/10/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/10/2010)
09/10/2010	<a href="#"><u>21</u></a>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>by Plaintiff SACE</i> (Davis, Gary) (Filed on 9/10/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/10/2010)
09/10/2010	<a href="#"><u>22</u></a>	NOTICE of need for ADR Phone Conference (ADR L.R. 3-5 d) (Gillingham, Steven) (Filed on 9/10/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/10/2010)
09/10/2010	<a href="#"><u>23</u></a>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Gillingham, Steven) (Filed on 9/10/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/10/2010)
09/21/2010	<a href="#"><u>24</u></a>	ADR Clerks Notice Setting ADR Phone Conference on 9/29/10 at 2:00 p.m. Pacific time. Please take note that at the appointed time, all parties shall call 218-339-2500 and use access code 1057593. (sgd, COURT STAFF) (Filed on 9/21/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/21/2010)
09/22/2010		ADR Remark: The ADR Phone Conference scheduled for 9/29/10 is now <b>set for 9:00 a.m. not 2:00 p.m.</b> Pacific time. Please note that call-in information remains the same. (sgd, COURT STAFF) (Filed on 9/22/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/22/2010)

09/27/2010	<a href="#"><u>25</u></a>	CASE MANAGEMENT STATEMENT filed by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Gillingham, Steven) (Filed on 9/27/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/27/2010)
09/28/2010	<a href="#"><u>26</u></a>	CERTIFICATE OF SERVICE by Sierra Club, Southern Alliance for Clean Energy re <a href="#"><u>1</u></a> Complaint, (Huber, Eric) (Filed on 9/28/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/28/2010)
09/28/2010	<a href="#"><u>27</u></a>	CERTIFICATE OF SERVICE by Sierra Club, Southern Alliance for Clean Energy re <a href="#"><u>1</u></a> Complaint, (Huber, Eric) (Filed on 9/28/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/28/2010)
09/29/2010	<a href="#"><u>28</u></a>	MOTION to Intervene filed by American Petroleum Institute, National Petrochemical and Refiners Association, Chamber of Commerce of the United States of America. Motion Hearing set for 11/12/2010 09:00 AM in Courtroom 11, 19th Floor, San Francisco. (Toben, Elizabeth) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/29/2010)
09/29/2010	<a href="#"><u>29</u></a>	Proposed Order re <a href="#"><u>28</u></a> MOTION to Intervene by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Toben, Elizabeth) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/29/2010)
09/29/2010	<a href="#"><u>30</u></a>	Declaration of Robert Greco III in Support of <a href="#"><u>28</u></a> MOTION to Intervene filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Related document(s) <a href="#"><u>28</u></a> ) (Toben, Elizabeth) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/29/2010)
09/29/2010	<a href="#"><u>31</u></a>	Declaration of Gregory M. Scott in Support of <a href="#"><u>28</u></a> MOTION to Intervene filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Related document(s) <a href="#"><u>28</u></a> ) (Toben, Elizabeth) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/29/2010)
09/29/2010	<a href="#"><u>32</u></a>	Declaration of Karen A. Harbert in Support of <a href="#"><u>28</u></a> MOTION to Intervene filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Related document(s) <a href="#"><u>28</u></a> ) (Toben, Elizabeth) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/29/2010)
09/29/2010	<a href="#"><u>33</u></a>	Certificate of Interested Entities by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association (Toben, Elizabeth) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/29/2010)



09/29/2010		ADR Remark: ADR Phone Conference held by RWS on 9/29/10. (sgd, COURT STAFF) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/29/2010)
09/29/2010	<a href="#">35</a>	MOTION for leave to appear in Pro Hac Vice-William E. Gerard ( Filing fee \$ 210, receipt number 34611051150.) filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (hdj, COURT STAFF) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/30/2010)
09/29/2010	<a href="#">36</a>	Proposed Order re <a href="#">35</a> MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 210, receipt number 34611051150.) MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 210, receipt number 34611051150.) by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (hdj, COURT STAFF) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/30/2010)
09/29/2010	<a href="#">37</a>	MOTION for leave to appear in Pro Hac Vice-Peter R. Steenland ( Filing fee \$ 210, receipt number 34611051150.) filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (hdj, COURT STAFF) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/30/2010)
09/29/2010	<a href="#">38</a>	Proposed Order re <a href="#">37</a> MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 210, receipt number 34611051150.) MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 210, receipt number 34611051150.) by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (hdj, COURT STAFF) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/30/2010)
09/29/2010	<a href="#">39</a>	CERTIFICATE OF SERVICE by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association re <a href="#">38</a> Proposed Order, <a href="#">36</a> Proposed Order, <a href="#">35</a> MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 210, receipt number 34611051150.) MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 210, receipt number 34611051150.), <a href="#">37</a> MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 210, receipt number 34611051150.) MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 210, receipt number 34611051150.) (hdj, COURT STAFF) (Filed on 9/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/30/2010)
09/30/2010	<a href="#">34</a>	ORDER SETTING BRIEFING SCHEDULE ON MOTION TO INTERVENE. Signed by Judge Jeffrey S. White on 9/30/10. (jjoS, COURT STAFF) (Filed on 9/30/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 09/30/2010)
10/01/2010	<a href="#">40</a>	ORDER by Judge Jeffrey S. White granting <a href="#">37</a> Motion for Pro Hac Vice for Peter R. Steenland (jjoS, COURT STAFF) (Filed on 10/1/2010) [Transferred from

		California Northern on 1/13/2011.] (Entered: 10/01/2010)
10/01/2010	<a href="#">41</a>	ORDER by Judge JEFFREY S. WHITE granting <a href="#">35</a> Motion for Pro Hac Vice for William E. Gerard (jjoS, COURT STAFF) (Filed on 10/1/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/01/2010)
10/04/2010	<a href="#">42</a>	Minute Entry: Initial Case Management Conference held on 10/1/2010 before Judge Jeffrey S. White (Date Filed: 10/4/2010). Case Management Statement due by 12/10/2010. Further Case Management Conference set for 12/17/2010 09:00 AM. Motion for Change of Venue set for 12/17/2010 09:00 AM in Courtroom 11, 19th Floor, San Francisco. Hearing on Motions for Summary Judgment set for 3/25/2011 09:00 AM in Courtroom 11, 19th Floor, San Francisco. (Court Reporter Joan Columbini.) (jjoS, COURT STAFF) (Date Filed: 10/4/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/04/2010)
10/04/2010	<a href="#">43</a>	STIPULATION by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Gillingham, Steven) (Filed on 10/4/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/04/2010)
10/08/2010	<a href="#">44</a>	Joint Declination to Proceed Before a U.S. Magistrate Judge by Robert Gates, Kurt Kunkel, Sierra Club, Southern Alliance for Clean Energy, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Davis, Gary) (Filed on 10/8/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/08/2010)
10/12/2010	<a href="#">45</a>	RESPONSE in Support re <a href="#">28</a> MOTION to Intervene ( <i>Non-Opposition</i> ) filed by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Glazer, David) (Filed on 10/12/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/12/2010)
10/13/2010	<a href="#">46</a>	Proposed Order re <a href="#">28</a> MOTION to Intervene by Sierra Club, Southern Alliance for Clean Energy. (Whitlock, James) (Filed on 10/13/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/13/2010)
10/18/2010	<a href="#">47</a>	NOTICE by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association re <a href="#">34</a> Order <i>Setting Briefing Schedule on Motion to Intervene</i> (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit)(Toben, Elizabeth) (Filed on 10/18/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/18/2010)
10/19/2010	<a href="#">48</a>	Statement of Non-Opposition re <a href="#">28</a> MOTION to Intervene filed by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#">1</a> Proposed Order)(Related document(s) <a href="#">28</a> ) (Whitlock, James) (Filed on 10/19/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/19/2010)

10/19/2010	<a href="#">49</a>	ORDER by Judge Jeffrey S. White granting <a href="#">28</a> Motion to Intervene (jjoS, COURT STAFF) (Filed on 10/19/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/19/2010)
10/29/2010	<a href="#">50</a>	<i>Defendants'</i> ANSWER to Complaint byRobert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Gillingham, Steven) (Filed on 10/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/29/2010)
10/29/2010	<a href="#">51</a>	ANSWER to Complaint byAmerican Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Toben, Elizabeth) (Filed on 10/29/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 10/29/2010)
11/12/2010	<a href="#">52</a>	First MOTION to Change Venue filed by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. Motion Hearing set for 12/17/2010 09:00 AM in Courtroom 11, 19th Floor, San Francisco. (Attachments: # <a href="#">1</a> Appendix)(Gillingham, Steven) (Filed on 11/12/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 11/12/2010)
11/12/2010		***Deadlines terminated: <b>Motion placeholder is vacated pursuant to the filing of: <a href="#">52</a></b> First MOTION to Change Venue filed by Alan S. Thompson, U.S. Department of Defense, U.S. Defense Logistics Agency, Kurt Kunkel, U.S. Defense Energy Support Center, Robert Gates. (jjoS, COURT STAFF) (Filed on 11/12/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 11/12/2010)
11/12/2010	<a href="#">53</a>	MOTION to Change Venue filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. Motion Hearing set for 12/17/2010 09:00 AM in Courtroom 11, 19th Floor, San Francisco. (Attachments: # <a href="#">1</a> Proposed Order)(Toben, Elizabeth) (Filed on 11/12/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 11/12/2010)
11/12/2010	<a href="#">54</a>	Proposed Order re <a href="#">52</a> First MOTION to Change Venue by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Gillingham, Steven) (Filed on 11/12/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 11/12/2010)
11/18/2010	<a href="#">55</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">52</a> First MOTION to Change Venue, <a href="#">53</a> MOTION to Change Venue filed by Sierra Club, Southern Alliance for Clean Energy. Motion Hearing set for 12/17/2010 09:00 AM in Courtroom 11, 19th Floor, San Francisco. (Attachments: # <a href="#">1</a> Proposed Order)(Davis, Gary) (Filed on 11/18/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 11/18/2010)

11/19/2010	<a href="#">56</a>	AMENDED COMPLAINT <i>FIRST</i> against American Petroleum Institute, Chamber of Commerce of the United States of America, Robert Gates, Kurt Kunkel, National Petrochemical and Refiners Association, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. Filed by Sierra Club, Southern Alliance for Clean Energy. (Davis, Gary) (Filed on 11/19/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 11/19/2010)
11/24/2010	<a href="#">57</a>	ORDER by Judge JEFFREY S. WHITE granting <a href="#">55</a> Motion for Extension of Time to File Response/Reply as to <a href="#">52</a> First MOTION to Change Venue, <a href="#">53</a> MOTION to Change Venue. Responses due by 12/1/2010. Replies due by 12/15/2010. (jjoS, COURT STAFF) (Filed on 11/24/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 11/24/2010)
11/24/2010		Set/Reset Deadlines as to <a href="#">53</a> MOTION to Change Venue, <a href="#">52</a> First MOTION to Change Venue. Responses due by 12/1/2010. Replies due by 12/15/2010. Motion Hearing set for 1/21/2011 09:00 AM in Courtroom 11, 19th Floor, San Francisco. (jjoS, COURT STAFF) (Filed on 11/24/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 11/24/2010)
11/24/2010	<a href="#">58</a>	CLERKS NOTICE Case Management Conference set for 2/18/2011 01:30 PM in Courtroom 11, 19th Floor, San Francisco. Joint case management statement due: 2/11/2011. (jjoS, COURT STAFF) (Filed on 11/24/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 11/24/2010)
12/01/2010	<a href="#">59</a>	Memorandum in Opposition re <a href="#">53</a> MOTION to Change Venue, <a href="#">52</a> First MOTION to Change Venue filed by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#">1</a> Exhibit A - Voss Declaration, # <a href="#">2</a> Exhibit B - Magavern Declaration, # <a href="#">3</a> Exhibit C - LMI Report, # <a href="#">4</a> Proposed Order, # <a href="#">5</a> Exhibit Unpublished Opinion, # <a href="#">6</a> Exhibit Unpublished Opinion, # <a href="#">7</a> Exhibit Unpublished Opinion, # <a href="#">8</a> Exhibit Unpublished Opinion)(Davis, Gary) (Filed on 12/1/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 12/01/2010)
12/03/2010	<a href="#">60</a>	ANSWER to Amended Complaint by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Toben, Elizabeth) (Filed on 12/3/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 12/03/2010)
12/06/2010	<a href="#">61</a>	<i>Defendant's</i> ANSWER to Amended Complaint by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Gillingham, Steven) (Filed on 12/6/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 12/06/2010)
12/15/2010	<a href="#">62</a>	Reply to Opposition re <a href="#">53</a> MOTION to Change Venue filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Toben, Elizabeth) (Filed on 12/15/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 12/15/2010)

12/15/2010	<a href="#">63</a>	Reply to Opposition re <a href="#">52</a> First MOTION to Change Venue filed by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Gillingham, Steven) (Filed on 12/15/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 12/15/2010)
12/30/2010	<a href="#">64</a>	MOTION for Leave to File <i>Administrative Record Manually</i> filed by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. Motion Hearing set for 12/21/2010 09:00 AM in Courtroom 11, 19th Floor, San Francisco before Hon. Jeffrey S. White. (Gillingham, Steven) (Filed on 12/30/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 12/30/2010)
12/30/2010	<a href="#">65</a>	Proposed Order re <a href="#">64</a> MOTION for Leave to File <i>Administrative Record Manually</i> by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Gillingham, Steven) (Filed on 12/30/2010) [Transferred from California Northern on 1/13/2011.] (Entered: 12/30/2010)
01/03/2011	<a href="#">66</a>	ORDER by Judge JEFFREY S. WHITE granting <a href="#">64</a> Motion for Leave to File Administrative Record Manually (jjoS, COURT STAFF) (Filed on 1/3/2011) [Transferred from California Northern on 1/13/2011.] (Entered: 01/03/2011)
01/04/2011	<a href="#">67</a>	MOTION Leave From Requirment to Submit Paper Copy of Administrative Record to Chambers <i>Unopposed</i> filed by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#">1</a> Proposed Order)(Whitlock, James) (Filed on 1/4/2011) [Transferred from California Northern on 1/13/2011.] (Entered: 01/04/2011)
01/04/2011	<a href="#">68</a>	ORDER by Judge Jeffrey S. White granting <a href="#">67</a> Motion for Leave From Requirement to Submit A Paper Copy of the Administrative Record (jjoS, COURT STAFF) (Filed on 1/4/2011) [Transferred from California Northern on 1/13/2011.] (Entered: 01/04/2011)
01/06/2011	<a href="#">69</a>	NOTICE by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense re <a href="#">66</a> Order on Motion for Leave to File <i>Filing Administrative Record</i> (Gillingham, Steven) (Filed on 1/6/2011) [Transferred from California Northern on 1/13/2011.] (Entered: 01/06/2011)
01/11/2011	<a href="#">70</a>	ORDER by Judge Jeffrey S. White GRANTING <a href="#">52</a> , <a href="#">53</a> Motion to Change Venue. (jswlc2, COURT STAFF) (Filed on 1/11/2011) [Transferred from California Northern on 1/13/2011.] (Entered: 01/11/2011)
01/13/2011	<a href="#">72</a>	Case transferred in from District of California Northern; Case Number 3:10-cv-02673. Original file and docket sheet received. (Entered: 01/13/2011)

02/07/2011	<a href="#"><u>73</u></a>	NOTICE of Appearance by Timothy Kenly Webster on behalf of American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association (Webster, Timothy) (Entered: 02/07/2011)
02/17/2011	<a href="#"><u>74</u></a>	NOTICE of Appearance by David Sanburg Bailey on behalf of Sierra Club, Southern Alliance for Clean Energy (Bailey, David) (Entered: 02/17/2011)
02/17/2011	<a href="#"><u>75</u></a>	MOTION for Summary Judgment by Sierra Club, Southern Alliance for Clean Energy. (Bailey, David) (Entered: 02/17/2011)
02/17/2011	<a href="#"><u>76</u></a>	Memorandum in Support re <a href="#"><u>75</u></a> MOTION for Summary Judgment filed by Sierra Club, Southern Alliance for Clean Energy. (Bailey, David) (Entered: 02/17/2011)
02/17/2011	<a href="#"><u>77</u></a>	Memorandum in Support re <a href="#"><u>75</u></a> MOTION for Summary Judgment filed by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#"><u>1</u></a> Exhibit reference case, # <a href="#"><u>2</u></a> Exhibit, # <a href="#"><u>3</u></a> Exhibit, # <a href="#"><u>4</u></a> Exhibit, # <a href="#"><u>5</u></a> Exhibit, # <a href="#"><u>6</u></a> Exhibit, # <a href="#"><u>7</u></a> Exhibit, # <a href="#"><u>8</u></a> Exhibit, # <a href="#"><u>9</u></a> Exhibit, # <a href="#"><u>10</u></a> Exhibit, # <a href="#"><u>11</u></a> Exhibit, # <a href="#"><u>12</u></a> Exhibit, # <a href="#"><u>13</u></a> Exhibit, # <a href="#"><u>14</u></a> Exhibit, # <a href="#"><u>15</u></a> Exhibit)(Bailey, David) (Entered: 02/17/2011)
02/17/2011	<a href="#"><u>78</u></a>	Memorandum in Support re <a href="#"><u>75</u></a> MOTION for Summary Judgment filed by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#"><u>1</u></a> Exhibit, # <a href="#"><u>2</u></a> Exhibit, # <a href="#"><u>3</u></a> Exhibit, # <a href="#"><u>4</u></a> Exhibit, # <a href="#"><u>5</u></a> Exhibit, # <a href="#"><u>6</u></a> Exhibit, # <a href="#"><u>7</u></a> Exhibit, # <a href="#"><u>8</u></a> Exhibit, # <a href="#"><u>9</u></a> Exhibit, # <a href="#"><u>10</u></a> Exhibit, # <a href="#"><u>11</u></a> Exhibit, # <a href="#"><u>12</u></a> Exhibit)(Bailey, David) (Entered: 02/17/2011)
02/17/2011	<a href="#"><u>79</u></a>	NOTICE of Appearance by Tammy L. Belinsky on behalf of Sierra Club, Southern Alliance for Clean Energy (Belinsky, Tammy) (Entered: 02/17/2011)
02/17/2011	<a href="#"><u>80</u></a>	NOTICE of Appearance by Dennis Carl Barghaan, Jr on behalf of Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense (Barghaan, Dennis) (Entered: 02/17/2011)
02/22/2011	<a href="#"><u>81</u></a>	Memorandum in Support re <a href="#"><u>75</u></a> MOTION for Summary Judgment <i>EXHIBIT 15</i> filed by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#"><u>1</u></a> Exhibit) (Bailey, David) (Entered: 02/22/2011)
02/24/2011	<a href="#"><u>82</u></a>	ORDER for Pro hac vice of Gary Allen Davis Filing fee \$ 50, receipt number 14683019613. Signed by District Judge Claude M. Hilton on 2/24/2011. (Attachments: # <a href="#"><u>1</u></a> Receipt)(rban, ) (Main Document 82 replaced on 2/28/2011) (rban, ). (Entered: 02/28/2011)
02/28/2011	<a href="#"><u>86</u></a>	ORDER granted for Pro hac vice of Eric Eugene Huber Filing fee \$ 50.00, receipt number 14683019614. Signed by District Judge Claude M. Hilton on 2/28/11. (Attachments: # <a href="#"><u>1</u></a> Receipt)(tfitz, ) (Entered: 03/04/2011)



02/28/2011	<a href="#">87</a>	ORDER granted for Pro hac vice of Peter Richard Steenland, Jr. Filing fee \$ 50.00, receipt number 14683019654. Signed by District Judge Claude M. Hilton on 2/28/11. (Attachments: # <a href="#">1</a> Receipt)(tfitz, ) (Entered: 03/04/2011)
03/01/2011	<a href="#">83</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">75</a> MOTION for Summary Judgment by Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Attachments: # <a href="#">1</a> Proposed Order)(Barghaan, Dennis) (Entered: 03/01/2011)
03/01/2011	<a href="#">84</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">75</a> MOTION for Summary Judgment by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Attachments: # <a href="#">1</a> Proposed Order)(Webster, Timothy) (Entered: 03/01/2011)
03/02/2011		Notice of Correction re <a href="#">84</a> MOTION for Extension of Time to File Response/Reply as to <a href="#">75</a> MOTION for Summary Judgment MOTION for Extension of Time to File Response/Reply as to <a href="#">75</a> MOTION for Summary Judgment, <a href="#">83</a> MOTION for Extension of Time to File Response/Reply as to <a href="#">75</a> MOTION for Summary Judgment MOTION for Extension of Time to File Response/Reply as to <a href="#">75</a> MOTION for Summary Judgment. The filing users has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument. (rban, ) (Entered: 03/02/2011)
03/03/2011	<a href="#">85</a>	AGREED ORDER that the federal and intervenor defendants file their memoranda in opposition to plaintiffs' motion forsummary judgment, as well as their own dispositive motions, onor before March 21, 2011; it is further ORDERED that plaintiffs file any reply memoranda in support of their own motion for summary judgment and in opposition to the federal and intervenor-defendants dispositive motions, on or before April 18, 2011; it is further ORDERED that the federal and intervenor defendants file their reply memoranda in support oftheir own cross-dispositive motions, on or before April 27,2011; is it hereby ORDERED thatall parties notice theirrespective motions for hearing before this Court on May 13, 2011; and it is hereby ORDERED that in light of the above agreement, the federal and intervenor defendants' motions for enlargement of time are hereby DENIED without prejudice as MOOT. Signed by District Judge Claude M. Hilton on 3/3/11. (tfitz, ) (Entered: 03/04/2011)
03/21/2011	<a href="#">88</a>	MOTION to Dismiss for Lack of Jurisdiction by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Barghaan, Dennis) (Entered: 03/21/2011)
03/21/2011	<a href="#">89</a>	MOTION for Summary Judgment by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Barghaan, Dennis) (Entered: 03/21/2011)

03/21/2011	<a href="#">90</a>	Memorandum in Support re <a href="#">88</a> MOTION to Dismiss for Lack of Jurisdiction, <a href="#">89</a> MOTION for Summary Judgment filed by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Attachments: # <a href="#">1</a> Exhibit 1)(Barghaan, Dennis) (Entered: 03/21/2011)
03/21/2011	<a href="#">91</a>	Memorandum in Opposition re <a href="#">75</a> MOTION for Summary Judgment filed by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Attachments: # <a href="#">1</a> Exhibit 1)(Barghaan, Dennis) (Entered: 03/21/2011)
03/21/2011	<a href="#">92</a>	Notice of Hearing Date set for 5/13/2011 re <a href="#">88</a> MOTION to Dismiss for Lack of Jurisdiction, <a href="#">89</a> MOTION for Summary Judgment (Barghaan, Dennis) (Entered: 03/21/2011)
03/21/2011	<a href="#">93</a>	Cross MOTION to Dismiss for Lack of Jurisdiction by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Webster, Timothy) (Entered: 03/21/2011)
03/21/2011	<a href="#">94</a>	Cross MOTION for Summary Judgment by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Webster, Timothy) (Entered: 03/21/2011)
03/21/2011	<a href="#">95</a>	Memorandum in Support re <a href="#">93</a> Cross MOTION to Dismiss for Lack of Jurisdiction, <a href="#">94</a> Cross MOTION for Summary Judgment filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Attachments: # <a href="#">1</a> Exhibit)(Webster, Timothy) (Entered: 03/21/2011)
03/21/2011	<a href="#">96</a>	Memorandum in Opposition re <a href="#">75</a> MOTION for Summary Judgment filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Attachments: # <a href="#">1</a> Exhibit)(Webster, Timothy) (Entered: 03/21/2011)
03/21/2011	<a href="#">97</a>	Notice of Hearing Date <i>set for 5/13/2011</i> re <a href="#">93</a> Cross MOTION to Dismiss for Lack of Jurisdiction, <a href="#">94</a> Cross MOTION for Summary Judgment (Webster, Timothy) (Entered: 03/21/2011)
03/22/2011		Set Deadlines as to <a href="#">88</a> MOTION to Dismiss for Lack of Jurisdiction, <a href="#">89</a> MOTION for Summary Judgment, <a href="#">94</a> Cross MOTION for Summary Judgment, <a href="#">93</a> Cross MOTION to Dismiss for Lack of Jurisdiction. Motion Hearing set for 5/13/2011 10:00 AM in Alexandria Courtroom 800 before District Judge Claude M. Hilton. (clar, ) (Entered: 03/22/2011)



03/22/2011	<a href="#"><u>98</u></a>	Notice of Hearing Date set for May 13, 2011 re <a href="#"><u>75</u></a> MOTION for Summary Judgment (Bailey, David) (Entered: 03/22/2011)
03/22/2011		Set Deadlines as to <a href="#"><u>75</u></a> MOTION for Summary Judgment. Motion Hearing set for 5/13/2011 10:00 AM in Alexandria Courtroom 800 before District Judge Claude M. Hilton. (clar, ) (Entered: 03/22/2011)
03/31/2011	<a href="#"><u>99</u></a>	Joint MOTION for Leave to File Excess Pages <i>in briefs on dispositive motions, for all parties</i> by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(Belinsky, Tammy) (Entered: 03/31/2011)
03/31/2011	<a href="#"><u>100</u></a>	SCHEDULING ORDER:Initial Pretrial Conference set for 4/13/2011 at 11:00 AM in Alexandria Courtroom 301 before Magistrate Judge Thomas Rawles Jones Jr. Final Pretrial Conference set for 7/21/2011 at 10:00 AM in Alexandria Courtroom 800 before District Judge Claude M. Hilton. Discovery due by 7/15/2011. Signed by District Judge Claude M. Hilton on 3/31/11. (Attachments: # <a href="#"><u>1</u></a> Pretrial Notice, # <a href="#"><u>2</u></a> Magistrate Consent Form)(tfitz, ) (Entered: 04/04/2011)
04/06/2011	<a href="#"><u>101</u></a>	Joint MOTION to Vacate <a href="#"><u>100</u></a> Scheduling Order, by American Petroleum Institute, Chamber of Commerce of the United States of America, Robert Gates, Kurt Kunkel, National Petrochemical and Refiners Association, Sierra Club, Southern Alliance for Clean Energy, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(Barghaan, Dennis) (Entered: 04/06/2011)
04/18/2011	<a href="#"><u>102</u></a>	NOTICE by Sierra Club, Southern Alliance for Clean Energy <i>filing of hard copy PHV</i> (Attachments: # <a href="#"><u>1</u></a> PRO HAC VICE FORM)(Bailey, David) (Entered: 04/18/2011)
04/18/2011	<a href="#"><u>103</u></a>	Reply to Motion re <a href="#"><u>94</u></a> Cross MOTION for Summary Judgment, <a href="#"><u>89</u></a> MOTION for Summary Judgment, <a href="#"><u>93</u></a> Cross MOTION to Dismiss for Lack of Jurisdiction, <a href="#"><u>88</u></a> MOTION to Dismiss for Lack of Jurisdiction filed by Sierra Club, Southern Alliance for Clean Energy. (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B, # <a href="#"><u>3</u></a> Exhibit C, # <a href="#"><u>4</u></a> Exhibit D, # <a href="#"><u>5</u></a> Exhibit E, # <a href="#"><u>6</u></a> Exhibit F, # <a href="#"><u>7</u></a> Exhibit G, # <a href="#"><u>8</u></a> Exhibit H, # <a href="#"><u>9</u></a> Exhibit I, # <a href="#"><u>10</u></a> Exhibit J, # <a href="#"><u>11</u></a> Attachment to Exhibit J)(Bailey, David) (Entered: 04/18/2011)
04/18/2011	<a href="#"><u>104</u></a>	ORDER granting <a href="#"><u>101</u></a> Joint Motion to Vacate scheduling order of April 4, 2011.. Signed by District Judge Claude M. Hilton on 4/18/11. (nmck, ) (Entered: 04/19/2011)
04/25/2011	<a href="#"><u>105</u></a>	Consent MOTION for Extension of Time to File Response/Reply by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(Barghaan, Dennis) (Entered: 04/25/2011)

04/26/2011	<a href="#"><u>106</u></a>	ORDERED that the <a href="#"><u>105</u></a> Consent Motion is GRANTED; and it is further ORDERED that the federal Defendants' shall file their reply memoranda in support of their Motions To Dismiss, Or, In the Alternative, For Summary Judgment, on or before April 29, 2011. Signed by District Judge Claude M. Hilton on 4/26/11. (tfitz, ) (Entered: 04/27/2011)
04/27/2011	<a href="#"><u>107</u></a>	REPLY to Response to Motion re <a href="#"><u>93</u></a> Cross MOTION to Dismiss for Lack of Jurisdiction, <a href="#"><u>94</u></a> Cross MOTION for Summary Judgment filed by American Petroleum Institute, Chamber of Commerce of the United States of America, National Petrochemical and Refiners Association. (Webster, Timothy) (Entered: 04/27/2011)
04/28/2011	<a href="#"><u>108</u></a>	SECOND AMENDED COMPLAINT against American Petroleum Institute, Chamber of Commerce of the United States of America, Robert Gates, Kurt Kunkel, National Petrochemical and Refiners Association, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense, filed by Sierra Club, Southern Alliance for Clean Energy.(Bailey, David) Modified to edit text on 5/31/2011 (tfitz, ). (Entered: 04/28/2011)
04/28/2011	<a href="#"><u>109</u></a>	Joint STIPULATION re <a href="#"><u>108</u></a> Amended Complaint, by Sierra Club, Southern Alliance for Clean Energy. (Bailey, David) Modified to edit text on 4/28/2011 (tfitz, ). (Entered: 04/28/2011)
04/29/2011	<a href="#"><u>110</u></a>	REPLY to Response to Motion re <a href="#"><u>88</u></a> MOTION to Dismiss for Lack of Jurisdiction, <a href="#"><u>89</u></a> MOTION for Summary Judgment filed by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Barghaan, Dennis) (Entered: 04/29/2011)
05/11/2011	<a href="#"><u>111</u></a>	NOTICE of Submission of Corrected Administrative Record by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense (Attachments: # <a href="#"><u>1</u></a> Index, # <a href="#"><u>2</u></a> Unsealed Additional Record Materials)(Barghaan, Dennis) Part I and Part II of the Additional Administrative Record Materials filed UNDER SEAL w/ Clerk's Office. Modified to edit text on 5/12/2011 (tfitz, ). (Entered: 05/11/2011)
05/11/2011	<a href="#"><u>112</u></a>	MOTION to Seal by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Attachments: # <a href="#"><u>1</u></a> Index)(Barghaan, Dennis) (Entered: 05/11/2011)
05/11/2011	<a href="#"><u>113</u></a>	Memorandum in Support re <a href="#"><u>112</u></a> MOTION to Seal filed by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense. (Barghaan, Dennis) (Entered: 05/11/2011)
05/11/2011	<a href="#"><u>114</u></a>	Notice of Hearing Date set for 5/20/2011 re <a href="#"><u>112</u></a> MOTION to Seal (Barghaan, Dennis) (Entered: 05/11/2011)

05/11/2011		MOTION REFERRED to Magistrate Judge: Thomas Rawles Jones, Jr.. <a href="#">112</a> MOTION to Seal (stas) (Entered: 05/12/2011)
05/11/2011		Set Deadline as to <a href="#">112</a> MOTION to Seal. Motion Hearing set for 5/20/2011 at 10:00 AM in Alexandria Courtroom 301 before Magistrate Judge Thomas Rawles Jones Jr.. (stas) (Entered: 05/12/2011)
05/11/2011	<a href="#">11</a> <a href="#">5</a>	ORDER granted for Pro hac vice of Douglas Hayes Filing fee \$ 50.00, receipt number 14683020989. Signed by District Judge Claude M. Hilton on 5/11/11. (Attachments: # <a href="#">1</a> Receipt)(tfitz, ) (Entered: 05/12/2011)
05/13/2011	<a href="#">11</a> <a href="#">6</a>	Minute Entry for proceedings held before District Judge Claude M. Hilton: Cross Motions Hearing held on 5/13/2011 re [75, 88, 89, 93 and 94] Cross MOTIONS to Dismiss or in the Alternative, for Summary Judgment. Appearances of counsel. Motions argued and taken under advisement. Order to follow. (Court Reporter T. Westfall.) (dper) (Entered: 05/13/2011)
05/18/2011		Reset Deadlines as to <a href="#">112</a> MOTION to Seal. Motion Hearing set for 5/20/2011 at 10:00 AM in Alexandria Courtroom 501 before Magistrate Judge John F. Anderson. (Per TRJ chambers) (clar, ) (Entered: 05/18/2011)
05/20/2011	<a href="#">11</a> <a href="#">7</a>	Minute Entry for proceedings held before Magistrate Judge John F. Anderson: Appearances; of counsel for the Defendant.Motion Hearing held on 5/20/2011 re <a href="#">112</a> MOTION to Seal filed by Alan S. Thompson, U.S. Department of Defense, U.S. Defense Logistics Agency, Kurt Kunkel, U.S. Defense Energy Support Center, Robert Gates. The motion to seal is GRANTED. ORDER TO FOLLOW. (Tape #ftr.) (nbla, ) (Entered: 05/20/2011)
05/20/2011	<a href="#">11</a> <a href="#">8</a>	ORDER granting <a href="#">112</a> Motion to Seal. SEE ORDER FOR SPECIFIC DETAILS. Signed by Magistrate Judge John F. Anderson on 05/20/2011. (nbla, ) (Entered: 05/20/2011)
05/23/2011	<a href="#">11</a> <a href="#">9</a>	NOTICE of Public Filing of Unsealed Pages of Corrected Administrative Record by Robert Gates, Kurt Kunkel, Alan S. Thompson, U.S. Defense Energy Support Center, U.S. Defense Logistics Agency, U.S. Department of Defense (Attachments: # <a href="#">1</a> Bates Nos. 10392-10412; 10464-10493)(Barghaan, Dennis) (Entered: 05/23/2011)
07/29/2011	<a href="#">12</a> <a href="#">1</a>	MEMORANDUM OPINION re: Motions to Dismiss. (see Order for complete details). Signed by District Judge Claude M. Hilton on 7/29/11. (tfitz, ) (Entered: 08/02/2011)
07/29/2011	<a href="#">12</a> <a href="#">2</a>	ORDERED that Defendants' Motion to Dismiss and Defendant- Intervenors' Motion to Dismiss are GRANTED, and this case is DISMISSED. Signed by District Judge Claude M. Hilton on 7/29/11. (tfitz, ) (Entered: 08/02/2011)

08/01/2011

[12](#)  
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AGREED ORDER that Count III of plaintiffs' complaint be, and hereby is, DISMISSED WITH PREJUDICE. Signed by District Judge Claude M. Hilton on 8/1/11. (tfitz, ) (Entered: 08/02/2011)

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